

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY *[Signature]* D.C.
05 OCT 19 AM 9:42

RBP, LLC,)
)
Plaintiff,)
)
v.)
)
GENUINE PARTS COMPANY and)
INDIANA INSURANCE COMPANY,)
)
Defendants.)
-----)
GENUINE PARTS COMPANY,)
)
Third-Party Plaintiff,)
)
v.)
)
ALLIANZ GLOBAL RISKS U.S.)
INSURANCE COMPANY and)
LEXINGTON INSURANCE COMPANY,)
)
Third-Party Defendants.)

NO: 1-04-1154-T/AN
Jury Demanded

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05 OCT 20 AM 8:09
TOMMY M. COLE
CLERK U.S. DISTRICT COURT
W.D. OF TENNESSEE

**UNOPPOSED MOTION FOR LEAVE TO FILE REPLY MEMORANDUM
OF LAW IN SUPPORT OF THIRD-PARTY DEFENDANTS
ALLIANZ GLOBAL RISKS U.S. INSURANCE COMPANY AND LEXINGTON
INSURANCE COMPANY'S MOTION TO DISMISS**

Pursuant to the Court's Rule 16(b) Scheduling Order, Third-Party Defendants Allianz Global Risks U.S. Insurance Company ("Allianz") and Lexington Insurance Company ("Lexington") hereby move this Court for leave to file a reply brief in support of their previously filed Motion to Dismiss Plaintiff RBP, LLC's Third Amendment to its Amended Complaint. The proposed reply brief is attached hereto as Exhibit A. This motion is unopposed. A Certificate of Consultation is attached hereto as Exhibit B.

This document entered on the docket sheet in compliance
with Rule 58 and/or 79 (a) FRCP on 10/20/05

MOTION GRANTED
DATE: 19 Oct. 2005

[Signature]
James D. Todd
U.S. District Judge

Allianz and Lexington seek the Court's leave to file this brief in order to respond to the arguments raised in Plaintiff, RBP, LLC's Response in Opposition to Third-Party Defendants Allianz Global Risks U.S. Insurance Company and Lexington Insurance Company's Motion to Dismiss.

WHEREFORE, Allianz and Lexington pray the Court allow them to file the attached Reply Memorandum of Law in Support of Third-Party Defendants Allianz Global Risks U.S. Insurance Company and Lexington Insurance Company's Motion to Dismiss.

This 18th day of October, 2005.

Respectfully submitted,

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.

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CERTIFICATE OF SERVICE

This certifies that a copy of the foregoing **Unopposed Motion for Leave to File Reply Memorandum Of Law In Support Of Third-Party Defendants Allianz Global Risks U.S. Insurance Company And Lexington Insurance Company's Motion To Dismiss** was served upon the following via federal express on this 18th day of October, 2005:

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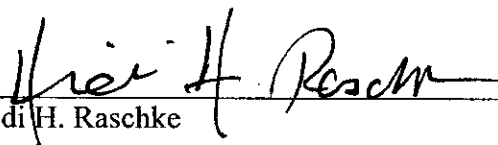
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Notice of Distribution

This notice confirms a copy of the document docketed as number 145 in case 1:04-CV-01154 was distributed by fax, mail, or direct printing on October 20, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT